

liability amount. The Department will use the following formula:

$\$2500 \times (a/b)$  rounded to the nearest \$100 where:

a = July CPI-U of year of current adjustment  
b = the CPI-U figure in December 1999 when the inflation adjustment provision was added to part 254.

[64 FR 70575, Dec. 17, 1999, as amended by DOT-OST-2008-0332, 73 FR 70592, Nov. 21, 2008]

## PART 255—AIRLINE COMPUTER RESERVATIONS SYSTEMS

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AUTHORITY: 49 U.S.C. 40101, 40102, 40105, 40113, 41712.

SOURCE: 69 FR 1032, Jan. 7, 2004, unless otherwise noted.

### § 255.1 Purpose.

(a) The purpose of this part is to set forth requirements for the operation of computer reservations systems used by travel agents and certain related air carrier distribution practices so as to prevent unfair, deceptive, predatory, and anticompetitive practices in air transportation and the sale of air transportation.

(b) Nothing in this part operates to exempt any person from the operation of the antitrust laws set forth in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12).

### § 255.2 Applicability.

This part applies to firms that operate computerized reservations systems for travel agents in the United States, and to the sale in the United States of interstate, overseas, and foreign air transportation through such systems.

### § 255.3 Definitions.

*Availability* means information provided in displays with respect to the seats a carrier holds out as available for sale on a particular flight.

*Carrier* means any air carrier, any foreign air carrier, and any commuter air carrier, as defined in 49 U.S.C. 40102(3), 49 U.S.C. 40102(22), and 14 CFR 298.2(f), respectively, that is engaged directly in the operation of aircraft in passenger air transportation.

*Display* means the system's presentation of carrier schedules, fares, rules or availability to a subscriber by means of a computer terminal.

*Integrated display* means any display that includes the schedules, fares, rules, or availability of all or a significant proportion of the system's participating carriers.

*On-time performance code* means a single-character code supplied by a carrier to the system in accordance with the provisions of 14 CFR Part 234 that reflects the monthly on-time performance history of a nonstop flight or one-stop or multi-stop single plane operation held out by the carrier in a CRS.

*Participating carrier* means a carrier that has an agreement with a system for display of its schedules, fares, or seat availability, or for the making of reservations or issuance of tickets through a system.

*Subscriber* means a ticket agent, as defined in 49 U.S.C. 40102(40), that holds itself out as a source of information about, or reservations for, the air transportation industry and that uses a system.

*System* means a computerized reservations system offered to subscribers for use in the United States that contains information about schedules, fares, rules or availability of carriers and provides subscribers with the ability to make reservations, if it charges any carrier a fee for system services. It does not mean direct connections between a ticket agent and the internal reservations systems of individual carriers.

### § 255.4 Display of information.

(a) All systems shall provide at least one integrated display that includes the schedules, fares, rules, and availability of all participating carriers in accordance with the provisions of this section. This display shall be at least as useful for subscribers, in terms of functions or enhancements offered and the ease with which such functions or